

DEPARTMENT OF VETERANS AFFAIRS


Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Dayton VA Medical Center Engineering Service (138)
2. **Nature and/or Description of the Action Being Processed:** *The installation of an additional cart washer with a Steris Model 1327 Pit mounted Cart Washer. This work will be performed as part of an overall Building 330 SPS Renovation Project. The work is estimated at \$198,000.00.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** *The work will consist of installing an additional cart washer within the Sterilization Processing Department (SPD) to meet current work demand.*
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §253(c)(1), as implemented by FAR 6.302-1. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.*
 - (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - () (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**
 - The existing cart washer will be on a maintenance contract and would increase the maintenance cost to have an additional contract with another company if the equipment is not provided by the same manufacturer.
 - The existing cart washer equipment is manufactured by Steris and will raise the cost to provide additional training to our maintenance staff and medical technicians in order to initiate and maintain proficiency on another manufacturers unit.

- Having two different manufactures' units will increase the possibility of improper equipment operation and potential equipment damage if employees are required to use different operational requirements for two different manufacturers units placed units side by side. We cannot afford to have medical equipment improperly cleaned due to confusion over how a unit operates in this fast paced environment.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *None.*
 7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer anticipates the cost of the additional equipment to be fair and reasonable to the government for the current procurement initiative. The Contracting Officer will compare the price of the required equipment with previous procurements of the same or similar equipment. The Contracting Officer will request commercial catalog listing or price list from the providing manufacturer.
 8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** *Market research indicates Steris is not the sole supplier of cart wash systems. Steris does not certify third party technicians to provide maintenance to Steris equipment. Market research could not locate a manufacturer who certified third party technicians to perform maintenance on their equipment. Based on this research if the VA did not sole source to Steris then the VA would be susceptible to two maintenance contracts and operating procedures for two different type of equipment.*
 9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** *There is a need for uniformity in the VA to minimize the costs of maintenance and spare parts. The procurement of a different cart wash machine would require separate maintenance contracts and additional training of VA personnel in the operation of the equipment.*
 10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** *NA*
 11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** *No action can be taken in the circumstance due to the requirement that the equipment needs to be the same model and manufacturer in order to provide a cost effective and safe operational environment.*
 12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Mark Permelia
Chief, Construction and Environmental Section
Dayton VA medical Center (552)

01/15/2013
Date

13. Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Donald P. Tam
Contracting Officer
NCO 10/Dayton

1-17-13
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



Terry Spitzmiller
Network Contract Manager
VISN/PCA X

1-18-13
Date

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.

Ricky Lemmon
Director
Service Area Office, East

Date

- d. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$10million) or approve (\$500K to 10 million) for other than full and open competition.

Name
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 million but not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be

complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Iris B. Cooper
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- f. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date